

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONICA M. EVANS,)
)
Plaintiff,)
)
vs.) Case No. 4:12CV01675 ERW
)
HARDEE'S FOOD SYSTEMS, INC., et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiff Monica M. Evans' ("Plaintiff") "Motion to Temporarily Stay Proceedings" [ECF No. 48].

Plaintiff filed this action, pro se, on September 13, 2012, alleging discrimination based on color, sex, age, retaliation, and disability in connection with her termination of employment on or about April 30, 2012 [ECF Nos. 1, 1-1].

Counsel was appointed by this Court on January 16, 2013, for the limited purpose of assisting Plaintiff with the Alternative Dispute Resolution ("ADR") process ordered by the Court [ECF Nos. 32, 33]. The ADR conference was conducted on April 15, 2013, but resolution was not achieved [ECF No. 42]. On April 16, Plaintiff's appointed counsel filed a First Amended Complaint on her behalf [ECF No. 41]. Defendants filed timely filed their Answers [ECF Nos. 44-47]. The matter is currently scheduled for a jury trial to commence on January 13, 2014.

In her Motion, Plaintiff, by and through her attorneys, moves the Court to stay proceedings in this discrimination action filed against Defendants Hardee's Food Systems, Inc.; Felicia Epps; Dianna Marmon; and Dawn Whited (collectively referred to as "Defendants"). Plaintiff alleges that she is working with her attorneys to find new counsel, and she requests that

this matter be stayed for sixty (60) days. She contends that a stay will not unduly prejudice or present a tactical disadvantage to any party, because this case is in the early stages and the parties have not conducted substantial discovery.

The Court finds that Plaintiff has had ample time and opportunity to obtain counsel in this matter. Plaintiff was terminated on or about April 30, 2012. She filed her pro se Complaint in this Court on September 13, 2012, and since has benefitted from the filing of an amended complaint by counsel appointed to assist her in the A DR process. Plaintiff has had in excess of one year since her termination, and more than eight months since filing her Complaint, to obtain counsel. The Court will deny Plaintiff's Motion.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Temporarily Stay Proceedings [ECF No. 48] is **DENIED**.

So Ordered this 13th day of June, 2013.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE